

Ex 27 - Excerpts of the Deposition of Raymond Carney taken 10/16/18 in MDL 2804

Plaintiffs' Opposition to Defendants' Motion for Summary Judgment on Proximate Causation Grounds

1 UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF OHIO
3 EASTERN DIVISION

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4 IN RE: NATIONAL)
PRESCRIPTION OPIATE) MDL No. 2804
5 LITIGATION)
_____) Case No. 1:17-MD-2804

6)
THIS DOCUMENT RELATES)
7 TO ALL CASES) Hon. Dan A. Polster

8 - - -

9 Tuesday, October 16, 2018

10 HIGHLY CONFIDENTIAL - SUBJECT TO FURTHER
CONFIDENTIALITY REVIEW

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13 Videotaped deposition of Raymond P. Carney,
14 held at the offices of BakerHostetler, 200 Civic
15 Center Drive, Suite 1200, Columbus, Ohio, commencing
16 at 9:09 a.m., on the above date, before Carol A. Kirk,
17 Registered Merit Reporter and Notary Public.

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23 GOLKOW LITIGATION SERVICES
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24 deps@golkow.com

1 A. It would West Virginia, yes.

2 Q. Were you aware that law
3 enforcement officials from West Virginia and the
4 DEA had testified in 2001 regarding the abuse
5 and diversion of OxyContin?

6 A. No, I wasn't.

7 Q. Let's go to 35, please.

8 There under that section,
9 Mr. Carney, that -- on the side, it says,
10 "OxyContin's wide availability may have
11 increased opportunities for illicit use."

12 Do you see that?

13 A. Yes, I do.

14 Q. Okay. And that section says, "The
15 large amount of OxyContin available in the
16 marketplace may have increased opportunities for
17 abuse and diversion. Both DEA and Purdue have
18 stated that an increase in a drug's availability
19 in the marketplace may be a factor that attracts
20 interest by those who abuse and divert drugs."

21 Do you see that?

22 A. Yes.

23 Q. Were you aware back when you
24 served as the sales manager in the Wheeling,

1 West Virginia area that at least this report
2 found a link between the amount of drug
3 available in the community to the likelihood of
4 diversion?

5 MR. PYSER: Object to form.
6 Misstates evidence.

7 A. I can't say.

8 Q. Would you agree with that,
9 Mr. Carney? Would you agree that the more drug
10 there is in a particular community, the
11 likelihood of diversion and abuse increases?

12 MR. PYSER: Object to form.

13 A. I would agree if they say "It may
14 have." It may have.

15 Q. Okay. Let's go to the next page,
16 if we can. And you see that graph at the top,
17 that table?

18 A. Yes.

19 Q. All right. Let's just look at it.
20 So were you -- are you aware of when OxyContin
21 actually came out onto the market?

22 A. No.

23 Q. All right. I'll let you know that
24 it is 1996, which you can see from this table